

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. § 371

63 Rec'd PCT/PTO 22 DEC 1998

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5):

INTERNATIONAL APPLICATION NO.
PCT/JP97/02221

INTERNATIONAL FILING DATE
June 26, 1997

PRIORITY DATE CLAIMED
June 26, 1996

TITLE OF INVENTION: THERAPEUTIC AGENT FOR ACUTE LUNG INJURY RESULTING FROM INDIRECT CAUSES
COMPRISING ANTI-IL-8 ANTIBODY AS ACTIVE INGREDIENT

09/202791

APPLICANT(S) FOR DO/EO/US: Kouji MATSUSHIMA, Kenji YOKOI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)) (executed).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: return receipt postcard

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EJ004415017US

Date of Deposit: December 22, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Lisa R.F. Barber

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|--|--|---|--|--------------------------------|--|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. § 1.5) | | INTERNATIONAL APPLICATION NO. PCT/JP97/02221 | | DOCKET NUMBER: 350292000500 | |
|--|--|---|--|--------------------------------|--|

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|--|--|--|--|--------------------------------------|--|
| 17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$840.00 International preliminary examination fee paid to (USPTO (37 C.F.R. § 1.482)).....\$670.00 No international preliminary examination fee paid to USPTO (37 C.F.R. § 1.482) but international search fee paid to USPTO (37 C.F.R. § 1.445(a)(2))\$760.00 Neither international preliminary examination fee (37 C.F.R. § 1.482) nor international search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO\$970.00 International preliminary examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$96.00 | | | | CALCULATIONS PTO USE ONLY | |
|--|--|--|--|--------------------------------------|--|

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|---|--------------|--------------|------------|------------------------------|---------|
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$840.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)). | | | | \$0 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$0 | |
| Total claims | 67 - 20 = | 47 | x \$18.00 | \$846.00 | |
| Independent claims | 4 - 3 = | 1 | x \$78.00 | \$78.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$260.00 | \$260.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$2024.00 | |
| Reduction by ½ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 C.F.R. §§ 1.9, 1.27, 1.28) | | | | \$ | |
| SUBTOTAL = | | | | \$ | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)). | | | | + | \$ |
| TOTAL NATIONAL FEE = | | | | \$2024.00 | |
| Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property | | | | + | \$40.00 |
| TOTAL FEES ENCLOSED = | | | | \$2064.00 | |
| | | | | Amount to be refunded: | \$0 |
| | | | | charged: | \$0 |

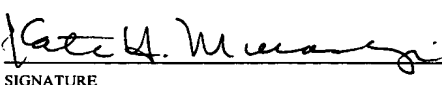
a. ☒ A check in the amount of \$2,064.00 to cover the above fees is enclosed.

b. ☒ The Assistant Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to **Deposit Account No. 03-1952**.

NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kate H. Murashige
 Morrison & Foerster LLP
 2000 Pennsylvania Avenue, N.W.
 Washington, D.C. 20006-1888


 SIGNATURE

 Kate H. Murashige
 Registration No. 29,959